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10 UNITED STATES DISTRICT COURT
11 EASTERN DISTRICT OF WASHINGTON

12 UNITED STATES OF AMERICA,

13 Plaintiff,

14 v.

15 FRANCISCO JAVIER ACEVES,

16 Defendant.

No. CR-07-2021-EFS-6

**ORDER ENTERING COURT'S ORAL
RULINGS FROM AUGUST 15, 2008
SENTENCING HEARING**

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18 A sentencing hearing occurred in the above-captioned matter on
19 August 15, 2008, in Yakima. Defendant Francisco Javier Aceves was
20 present, represented by Salvador Mendoza. Assistant United States
21 Attorney James P. Hagarty appeared on behalf of the Government. Before
22 the Court was the Government's oral motion to dismiss the Indictment
23 based on Defendant's guilty plea and subsequent sentencing to an
24 Information Superseding Indictment. (Ct. Rec. 194.) Leave of Court is
25 given to dismiss the Indictment (Ct. Rec. 1); the Court, however, makes
26 no judgment as to the merit or wisdom of this dismissal.

1 Accordingly, **IT IS HEREBY ORDERED:**

2 1. The Government's oral motion to dismiss the Indictment is
3 **GRANTED.**

4 2. The Indictment (**Ct. Rec. 1**) shall be **DISMISSED WITH PREJUDICE.**

5 3. All pending motions are **DENIED AS MOOT.**

6 **IT IS SO ORDERED.** The District Court Executive is hereby directed
7 to enter this Order and furnish copies to counsel and the United States
8 Probation Office.

9 DATED this 18th day of August, 2008.

10
11 s/Edward F. Shea
12 EDWARD F. SHEA
United States District Judge

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